HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.26922 OF 2007

DATE: 26.12.2007

Between:

Eluri Malleswara Rao

..... PETITIONER

AND

The Superintendent of Police,
Krishna District, Machilipatnam & 2 others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No. 26922 OF 2007

ORDER: (Per Hon'ble Sri Justice A.Gopal Reddy)

The averments made in the counter affidavit filed by the Sub-Inspector of Police, Repalle Police Station, second respondent herein discloses that on registration of a case in Crime No.152 of 2007 for the offence under Section 379 IPC of Repalle Police Station on 10.12.2007 on the complaint lodged by one Gonaboina Suri Babu, the alleged detenu viz., Eluru Nagaraju, the son of the petitioner and other accused were arrested by the police on 16.12.2007 and produced before II Additional Munsif Magistrate, Repalle for his remand on 17.12.2007. On such production, the learned Magistrate remanded the

alleged detenu to judicial custody and accordingly he is lodged at Sub-Jail, Tenali. The facts and circumstances explained in the counter, belies the allegation of illegal detention of alleged detenu made in the telegram, dated 13.12.2007 sent by the petitioner, on which basis the above writ petition is taken up.

The Writ Petition is accordingly dismissed. No costs.

_____

A. GOPAL REDDY, J.

_____

26th DECEMBER, 2007 G. BHAVANI

PRASAD, J.

Tsr.

-